HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 5465 OF 2006

DATED: 20.03.2006

Between:

Dodda Malla Reddy

… Petitioner

and

The Joint Collector, Karimnagar District

And another

… Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 5465 OF 2006

ORAL ORDER:

The writ petition is filed aggrieved that the 1st respondent has not taken up the interim application filed by the petitioner along with his appeal dated 17.2.2006.

The petitioner is a fair price shop dealer of Shop No.4542 of Godavarikhani, Karimnagar District. He was appointed as such on 6.6.2003. By proceedings dated 5.11.2004, the petitioner was issued a show cause notice along with an order of suspension pending enquiry, alleging that the petitioner was conducting the business in an unauthorized premises and through an unauthorized person. The petitioner submitted his explanation on 12.12.2004.

Thereafter on 12.11.2005, the 2nd respondent passed orders canceling the petitioner's authorization. Aggrieved thereby, the petitioner preferred an appeal to the 1st respondent dated 17.2.2006 along with an application for interim relief. The petitioner's complaint in this writ petition is that the

1st respondent has neither disposed of the appeal nor his application for interim relief.

In the facts and circumstances of the case, after hearing the learned Government Pleader for Civil Supplies, the writ petition is disposed of directing the 1st respondent to consider and dispose of the petitioner's appeal dated 17.2.2006 or at any rate his application for interim relief, expeditiously and in any event within a period of three weeks from the date of receipt of a copy of this order.

The petitioner states that the 2nd respondent is taking steps for making a permanent appointment to the vacancy caused by the cancellation of the petitioner's authorization. Since the petitioner's appeal is pending, any appointment made to the fair price shop, shall be subject to result of the appeal and the first respondent shall

pass appropriate orders while disposing of the appeal as to how any appointment to the fair price shop shall be dealt with in the context of the result of the appeal.

The writ petition is disposed of at the stage of admission. No order as to costs.

GODA RAGHURAM, J

Date: 20.03.2006

Note: CC in two days.

Bo cvm